

Message Text

LIMITED OFFICIAL USE

PAGE 01 STUTTG 00517 221815Z

64

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 SAJ-01

/058 W

----- 018976

R 221605Z MAY 75

FM AMCONSUL STUTTGART

TO SECSTATE WASHDC 2453

INFO AMEMBASSY BONN

AMCONSUL BREMEN

AMCONSUL DUESSELDORF

AMCONSUL FRANKFURT

AMCONSUL HAMBURG

AMCONSUL MUNICH

USMISSION BERLIN

USAREUR HEIDELBERG

USEUCOM VAIHINGEN

LIMITED OFFICIAL USE STUTTGART 0517

E.O. 11652: N/A

TAGS: PINS, ASEC

SUBJECT: BAADER-MEINHOF DEFENSE TACTICS

FOR POLADS

REF: STUTTGART 0511

1. SUMMARY: CIRCUMSTANCES SURROUNDING DELAY GRANTED AT OPENING OF BAADER-MEINHOF TRIAL BEFORE THE SECOND SENATE (COURT) OF OBERLANDESGERICHT IN STUTTGART PROVIDES INDICATION INITIAL DEFENSE TACTICS, AND SUGGESTS PROBLEMS WHICH MAY FACE GOVERNMENT PROSECUTORS FOR SOME TIME TO COME. END SUMMARY.

2. DEFENSE LAWYERS APPARENTLY WERE ALERT TO ALLEGED AMBIGUITY IN LEGISLATION PASSED EARLY JANUARY USED TO BAR

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STUTTG 00517 221815Z

CROISSANT, STROEBELE, AND GROENEWALD FROM DEFENSE THEIR

INDIVIDUAL CLIENTS. DEFENSE PETITION THAT THREE BE RE-INSTATED AS LAWYERS FOR DEFENDENTS OTHER THAN ONE ORIGINALLY SERVED PROVED TO BE SUCCESSFUL GAMBIT.

3. PROSECUTION REQUEST FOR RECESS OF TRIAL TO PERMIT BADEN-WUERTTEMBERG FIRST SENATE (COURT) (DESIGNATED BY OBERLANDESGERICHT TO RULE ON SUCH EXCLUSION PROCEDURES) TO DECIDE REINSTATEMENT ISSUE APPEARS TO BE INDICATION OF SCRUPULOUS CONCERN FOR COMPLETE LEGAL AND PROCEDURAL CORRECTNESS TO AVOID POSSIBILITY OF SUCCESSFUL DEFENSE APPEL FOR NEW TRIAL OR HAVING ULTIMATE VERDICT REVERSED ON APPEAL IF GOVERNMENT MADE HASTY DECISION.

4. SOME LEGAL AUTHORITIES INTERVIEWED ON PUBLIC MEDIA AND COMMENTATORS WHO HAVE FOLLOWED CASE CLOSELY, HAVE SUGGESTED THAT GOVERNMENT MAY HAVE EMPHASIZED BUILDING SPECIAL COURTROOMS, DEVELOPING SECURITY PROCEDURES, AND COMPILING MASSIVE EVIDENCE DURING EXCESSIVELY LONG INVESTIGATORY ARREST AT EXPENSE OF STUDYING LEGAL NICETIES.

5. AT THIS POINT DEFENSE ALSO APPEARS TO HAVE TACTICAL ADVANTAGE IN BEING ABLE TO CHALLENGE GOVERNMENT MOVES ON A CONTINUING BASIS WITHOUT PARTICULAR REGARD TO THE SPECIFIC MERITS OF EACH AND EVERY CHALLENGE. FOR EXAMPLE, ONE LEGAL COMMENTATOR HAS POINTED OUT THAT EVEN IF EXCLUSION OF LAWYERS IS UPHELD THE FORTY LAWYERS WHO HAVE VOLUNTEERED TO DEFEND THE ACCUSED COULD BE CHALLENGED ONE BY ONE BY THE DEFENSE FOR A PERIOD OF A MONTH OR TWO. JENKINS

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SECURITY, TRIALS, ATTORNEYS, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 22 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ellisoob
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STUTT00517
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750180-0678
From: STUTTGART
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750525/aaaaawqk.tel
Line Count: 90
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STUTTGART 0511
Review Action: RELEASED, APPROVED
Review Authority: ellisoob
Review Comment: n/a
Review Content Flags:
Review Date: 02 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02 JUN 2003 by BoyleJA>; APPROVED <08 OCT 2003 by ellisoob>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BAADER-MEINHOF DEFENSE TACTICS FOR POLADS
TAGS: PINS, ASEC, GE, (BAADER, ANDREAS), (MEINHOF)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006